

AFFIDAVIT OF BAI LIN HUANG

STATE OF NEW YORK (COUNTY OF QUEENS)

I, Bai Lin Huang, state and declare that I am over 21 years of age and fully competent to make this declaration. The facts set forth herein are true and correct and within my personal knowledge. I have read the foregoing Complaint, and the facts stated in the Factual Background section (paragraphs nos. 11 – 22) are within my personal knowledge and are true and correct, unless otherwise qualified therein.

1. My name is Bai Lin Huang, my date of birth is December 5th, 1965, and my address is 5218 39th Ave #3D Woodside, New York 11377. I declare under penalty of perjury that the foregoing is true and correct.

2. I provide in this section the general substance of certain factual allegations.

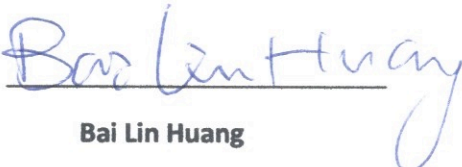
3. For more than 10 years ago, I opened multiple accounts with Amazon.Com., Inc. and conducted business with Amazon without any incident and/or complaints being raised by Amazon.

4. That on the 28th day of December 2021, I received an electronic communication, i.e., email from Amazon informing me in sum and substance that my account was being closed and business relations were being terminated. I sought a clarification and review of their determination and was again informed that Amazon's decision to terminate business relations with me is affirmed. More importantly, I was informed that the determination was based on alleged independent and isolated conduct of my spouse, who was not listed as a partner and/or co-owner of my account.

5. Amazon.com ,INC and Amazon credit card issuer JP Morgan Chase notified me mid of April 2018 (15 days after they had approved me), that my account was being closed and their business relations with me were being terminated. I subsequently learned that Chase's actions were similarly based upon alleged independent conduct of my spouse.

6. Upon information and belief the actions of both Amazon and Chase were later related to me to be a routine practice of some business entities after September 11th, 2001, to intentionally discriminate against customers and patrons of Amazon, Chase and other retail establishments because patrons and/or customers were Muslims or were discovered to be related to Muslims.

7. I have never been arrested, and/or convicted of any criminal offenses in state of federal court, nor been suspected of engaging in any illegal activities.


Bai Lin Huang

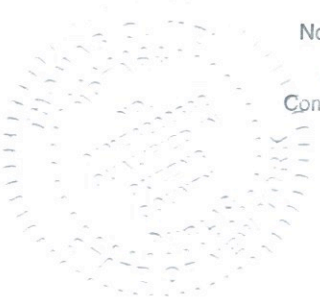
5218 39th Ave #3D Woodside , New York 11377

SUBSCRIBED AND SWORN TO BEFORE ME on this 22 day of April 2022 to certify which witness my official seal of office.

THOMAS G. MEI
Notary Public, State of New York
Reg. No. 01ME6222532
Qualified in Queens County
Commission Expires Sept. 07, 2022



Notary Public in and for the State of New York



**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X

BAI LIN HUANG,

Civ. No. _____

Plaintiff,

-against-

AMAZON.COM, INC., and JP MORGAN

CHASE,

Defendant(s).

-----X

COMPLAINT

COMES NOW, Plaintiff Bai Lin Huang, also known as, Vivian Huang in pro se and brings this action against Defendants Amazon.Com. Inc., JP Morgan Chase, Inc., collectively "Defendants", and as grounds thereof alleges as follows:

I. INTRODUCTION

1. Bai Lin Huang, hereinafter referred to as ("Plaintiff") had been conducting business with defendant Amazon.Com, Inc for over 10 years, without incident. In 2016 Plaintiff opened a "Seller" in addition to her "Retail" account. Plaintiff's "Seller account was approved by defendant Amazon.COM, Inc. In the year of 2018 defendant Amazon.Com, INC offered Plaintiff an Amazon Credit Card due to her outstanding Credit score and her business relationship with the defendant Amazon.Com ,Inc. Plaintiff credit Card application was approved in the beginning of April 2018 . This Credit Card was a joint venture by the two defendants, JP Morgan Chase, INC and Amaozn.Com, INC. This Credit Card account was closed after 15 days without given any explanation. In December 2018, Plaintiff has received an email that her "Retail" and "Seller" account were going to be closed by Defendant Amazon.Com,INC.'s policy which is that as mentioned in their email that they have a policy to comply with government sanctions and export regulations.

Plaintiff has never been arrested, and/or suspected of engaging in any criminal activity, nor has been under conditions of penalty from defendants for improper business conduct. Plaintiff knows that to be accused of a crime would not only be damaging to her reputation, but it could derail her career. Accordingly, Plaintiff certainly did not expect that she would be notified that her accounts with Defendant Amazon.Com., Inc. would be terminated on December 2018, when she was informed via an email of that news. Undoubtable shocked by the Defendant Amazon's actions, Plaintiff in sum and substance moved to have defendant Amazon reconsider and/review their determination. Defendant Amazon was adamant in their determination to terminate business with the Plaintiff, and specifically indicated in another email message that their decision was based upon alleged actions of her husband.

2. Plaintiff, was shocked yet again, when the email indicated a that her accounts with Defendant Amazon.Com, INC and JP Morgan Chase, Inc. was being terminated and/or closed due to alleged criminal conduct of her husband. Kindly refer to Plaintiff's hereto attached exhibits nos. (1) and (2) respectively notices from Defendants Amazon and Chase.

3. Plaintiff, is an Asian-American married, to a Turkish-American Muslim who was accused, charged and convicted alone in federal court for crimes he allegedly committed without any suggestions that the Plaintiff was in any manner involved. Notwithstanding, such facts the Defendants Amazon and Chase Bank deliberately and with total indifference to Plaintiff's rights acted in a racially discriminatory manner towards her, which a Caucasian citizen would not have been suffered as an innocent citizen.

4. Defendant JP Morgan Chase's arbitrary, capricious and discriminatory actions against this Plaintiff was further demonstrated by the recent corporate policy of including convicted individuals among their employees and removal of questions about a prospective employee ever having a criminal record. This policy change was announced by the Defendant JP Morgan Chase's ("Head of Global Diversity, Equity and Inclusion, one Brian Lamb") during his March 10th, 2022 interview on CNBC. Kindly refer to Plaintiff's hereto attached exhibits nos. (3)

5. Accordingly, Plaintiff commences this action against Amazon and Chase to recover damages pursuant to Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. Section(s) et seq., as amended, ("Section 1981").

II. JURISDICTION

6. This Court has jurisdiction over this civil action pursuant to 28 U.S.C. Sec. 1331 because it arises under a statute of the United States, specifically Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. Sec.(s) et seq., as amended, ("Section 1981") which forbids racial discrimination against any person in the "making, performance, modification and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship."

7. Plaintiff further invokes this Court's supplemental jurisdiction pursuant to 28 U.S.C. Sec. 1367(a) over any and all state law claims and causes of action that derive from the same nucleus of operative facts and are part of the same case or controversy that gives rise to the federally based claims and causes of action.

III. VENUE

8. Venue is proper in this District pursuant to 28 U.S.C. Sec. 1391, subsections (b)(2)(c), and (d) because Defendant Amazon.Com., Inc. and Defendant JP Morgan Chase, Inc. ("Chase") is deemed by that statute to reside in any judicial district in which it is subject to the Court's personal jurisdiction with respect to this civil action, and/or in any district within New York within which its contacts would be sufficient to subject it to personal jurisdiction if that district were a separate State. Defendants does a considerable and substantial amount of business in this District, employs numerous persons within this District, and regularly solicits business from the citizens of this District. Upon information and belief, individual Defendants Amazon and Chase regularly conduct business within and from this District, serve and seek to serve the citizens of this District, maintain residence in this District, and otherwise purposely avail themselves of the benefits of this District. In addition, venue in this judicial district is proper

because the incident in question occurred in this District and therefore a substantial part of the events or omissions giving rise to the claim occurred here.

IV. PARTIES

9. Plaintiff, Bai Lin Huang, was and is a U.S. Citizen, over the age of eighteen years of age, and a person withstanding to bring a claim under Section 1981.

10. Defendant, Amazon.Com, Inc. is a Seattle, Washington corporation with its principal place of business at 410 Terry Avenue N., Seattle, Washington 98109, as well, as offices throughout the United States including its New York Offices at 450 W. 33rd Street, New York, N.Y. 10001. This Defendant does business in the State of New York and the Southern District of New York through its on-line electronic websites retail advertising, sales and product distributing network, including but not limited to www.amazon.com . The defendant can be served with process through its registered agent Amazon.Com ,Inc. -Corporation Service Company, 300 Deschutes Way SW, Suite 208 MC-CSCI, Tumwater, WA 98501....Attn: Legal Department-Legal Process

11. Defendant, JP Morgan Chase, Inc. is a corporation with its principal place of business at 270 Park Avenue, New York, N.Y. 10172, as well, as numerous branch offices throughout the City of New York. The Defendant does business in the State of New York and in the Southern District of New York through its Retail Financial Services operating segment and through its websites, including but not limited to www.JPMORGANCHASE.COM. This Defendant can be served with process through its registered agent, CT Corporation Systems, 111 Eighth Avenue, 13th floor, New York, NY. 10017

V. FACTUAL BACKGROUND AND GENERAL ALLEGATIONS

12. Plaintiff, Bai Lin Huang provides in this section the general substance of certain factual allegations.

13. On the 5 day of December 1965 , Plaintiff an Asian-American born in Taiwan married a Turkish-American Muslim, one Erdal Kuyumcu.

14. Plaintiff had her solo career and derived a legal income therefrom, which was separate and independent of her spouse, Erdal Kuyumcu.

15. Plaintiff's spouse founded and was the sole operating executive of an import and export company and arrested and convicted in 2017, of violating federal law by allegedly exporting materials to Turkey which was allegedly rerouted to Iran. At no time was the Plaintiff accused of violating any laws of the United States, or of having a role in any of the acts attributed to her spouse.

16. In April, 2018, Plaintiff was informed by Defendant JP Morgan Chase via Amazon.com,Inc. that her account was being terminated, and similarly indicated that it was a result of her spouse's conviction.

17. In sum and substance, the Defendant Amazon stated that Plaintiff's accounts were cancelled due to her spouse's conviction.

18. That in December 2018, Plaintiff was informed by Defendant Amazon.Com, Inc that her account with defendant was being closed/terminated. Upon receipt of Defendant Amazon's electronic communication informing her that defendants were cancelling all business with her, she sought a review of the decision, which subsequently affirmed as demonstrated by Plaintiff's aforementioned exhibits.

19. Plaintiff has suffered emotional embarrassment and economic difficulty in attempting to manage her personal employment savings and business due to the Defendant Amazon and Defendant JP Morgan Chase's arbitrary, discriminatory racial targeting of non-Caucasians.

20. Upon information and belief the Defendants Amazon and JP Morgan Chase routinely engage in a pattern and practice of discriminating against non-Caucasians, who have not themselves, committed any criminal offenses just because of their religious and/or ethnic affiliation to an individual.

21. Additionally, following September 11th, 2001, Plaintiff has learned of several instances where Muslims, and non-Caucasians have routinely been subjected to racial animus, and deprived of their Civil Rights by Defendants Amazon and JP Morgan Chase in violation of 42 U.S.C. Sec. 1981, by unlawfully placing them in a suspect category.

22. Defendants selective targeting of Plaintiff for disparate and discriminatory treatment is based wholly on plaintiff's religious affiliation and race, since it is similarly well known that Irish, Italian and Jewish customers having accounts with these Defendants are not denied service simply because a family member was convicted of a criminal offense.

23. Plaintiff is being unlawfully alienated, burdened, discriminated against, penalized and stigmatized for nothing other than being an Asian-American Muslim.

VI. CAUSES OF ACTION & DAMAGES

COUNT I:

COMPENSATORY AND PUNITIVE DAMAGES PURSUANT TO 42 U.S.C. Sec. 1981

24. Plaintiff repeats, realleges, and fully incorporates each allegation contained in Paragraphs 1 through 23 of this Complaint as though such allegations were fully set forth herein.

25. Plaintiff had a right under Section 1981 of the Civil Rights Act of 1866, as amended, 42 U.S.C. Sec. 1981, et seq. to be free from discrimination based on her race and religion in the "making, performance, modification and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship," including the relationship she sought with the defendants in April, 2018.

26. The Defendants acted out of racial animus in denying Plaintiff her federally protected rights and intentionally treated her in a base, criminal and subhuman manner, when cancelling her accounts and business relationships. Their discriminatory and humiliating treatment of her were utterly unacceptable in a civilized society and were an affront to the values that society expects in the equal treatment of all persons, especially those who seek to open, and maintain business and banking accounts licensed by United States government and enjoy the privileges of operating retail businesses and community banks under federal regulations. Moreover, Defendants' various intentional acts that both wrongfully denied and cancelled Plaintiff's accounts are racial discrimination that are violative of the aforesaid federally protected rights and are unacceptable in civilized society.

27. The Defendants are liable to Plaintiff jointly and severally for compensatory damages under 42 U.S.C. Sec. 1981 for their intentional acts and omissions that caused Plaintiff to sustain and endure

severe emotional distress, mental anguish, disgust, revulsion, nausea, embarrassment, disparagement, shock, and utter humiliation in an amount of at least \$1,000,000, or as determined by the trier of fact.

28. Both Defendants Amazon and Chase, as well, as its managerial staff and/or customer service representative who made the discriminatory termination acted with malice and/or reckless indifference towards Plaintiff's federally protected rights, singling her out for discriminatory treatment based upon her racial and religious classification and/or gender (because she is an Asian-American and Muslim female) – humiliating her. Accordingly, the Defendants are also liable jointly and severally, for punitive damages under 41 U.S.C. Sec. 1981 because their conduct was based on malice and/or reckless indifference to Plaintiff's legal rights -n an amount of \$1,000,000, or as determined by the trier of fact.

COUNT II:

**COMPENSATORY AND PUNITIVE DAMAGES PURSUANT TO STATE LAW FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

29. Plaintiff repeats, realleges, and fully incorporates by reference each and every allegation contained in Paragraphs 1 through 28 of this Complaint as though such allegations were fully set forth herein.

31. The aforesaid acts and omissions by Defendants Amazon and Chase were outrageous and utterly intolerable in civilized society, were malicious and/or were conducted with reckless indifference to the likelihood that emotional distress would result and were intentional towards Plaintiff and intended to cause her emotional distress. They therefore constitute the tort of intentional infliction of emotional distress.

32. The Defendants Amazon and Chase personally acted with malice and reckless indifference towards Plaintiff federally protected rights, singling her out for discriminatory treatment because she is an Asian-American Muslim female. Accordingly, Defendants are liable to Plaintiff for compensatory damages under applicable state laws because their conduct was based on malice and/or indifference to Plaintiff's legal rights in an amount of at least \$1,000,000 or as determined by the trier of fact.

VII. JURY DEMAND

33. Plaintiff respectfully request trial by jury in this matter. JURY TRIAL DEMANDED.

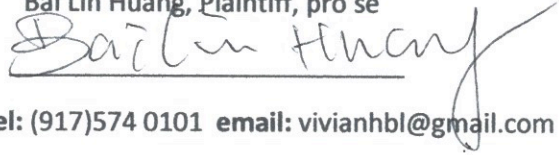
VIII. PRAYER

34. WHEREFORE, Plaintiff demands judgment against Defendants Amazon. Com, Inc and JP Morgan Chase individually for damages of at least \$1,000,000 for compensatory damages and at least \$1,000,000 for punitive damages, or in an amount to be determined by the jury, and for such other and further relief as the Court shall deem just and proper.

Dated: April 22 , 2022

Respectfully Submitted,

Bai Lin Huang, Plaintiff, pro se



ADDRESS: 5218 39th Ave #3D Woodside, NY 11377 **Tel:** (917)574 0101 **email:** vivianhbl@gmail.com

EXHIBIT 1

Best,
Vivian

From: Amazon.com <sanctions-appeals@amazon.com>
Sent: Wednesday, January 2, 2019 6:47:57 PM
To: vivianhbl@gmail.com <vivianhbl@gmail.com>
Subject: Account Closure Appeal



[Your Account](#) | [Amazon.com](#)

Message From Customer Service

Hello Bailin Huang,

Thank you for contacting Amazon Compliance. We have reviewed our decision to close your account. Amazon has a policy to comply with government sanctions and export control regulations, and because Amazon provides a wide variety of goods and services, including global shipping, we must unfortunately maintain the account closure. Although we have decided not to re-open your account, we are happy to refund your Prime membership fee and the value of your digital content. Please allow five business days for the refund to be completed. We apologize for the inconvenience.

Sincerely,

Amazon Compliance

Reference Number: 1045391721

Best regards,

Amazon.com

EXHIBIT 1

EXHIBIT 2

Best,
Vivian

From: Amazon.com <sanctions-compliance@amazon.com>
Sent: Friday, December 28, 2018 5:55:55 PM
To: vivianhbl@gmail.com <vivianhbl@gmail.com>
Subject: Your Amazon Seller and Retail Account is Closed



[Your Account](#) | [Amazon.com](#)

Message From Customer Service

Hello Bailin Huang,

We want to let you know that we have disabled your Amazon Seller and Retail account. Amazon has a policy to comply with government sanctions and export control regulations, and while reviewing your account details, we identified similarities between information in your account and an individual with whom we can't currently do business.

If you believe this action on your account has been made in error, please email us at sanctions-appeals@amazon.com and reference the number provided below.

Sincerely,

Amazon Compliance

Reference Number: 1045391721

Best regards,

Amazon.com

EXHIBIT 2

EXHIBIT 3

FINANCE

JPMorgan says labor shortage requires unconventional hiring, including people with criminal records

PUBLISHED THU, MAR 10 2022 4:53 PM EST UPDATED THU, MAR 10 2022 6:55 PM EST

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@HUGH_SON

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KEY POINTS

BREAKING NEWS

thousands of people with criminal records and hundreds of people with other conditions, said Brian Lamb, JPMorgan's global head of diversity, equity and inclusion, during CNBC's Equity and Opportunity forum Thursday.

"There's a labor shortage, I think we're all experiencing that globally," Lamb said. "It's going to require unconventional approaches" to hiring.

The bank, which had 271,025 employees as of year end 2021, has eliminated questions about criminal records from initial job applications, he said.

In this article

JPM -0.15 (-0.11%) 

EXHIBIT 3



VIDEO 06:13

Tapping untapped talent to combat the labor shortage

[JPMorgan Chase](#) says that companies can deal with global labor shortages in part by tapping the neurodiverse and people with criminal backgrounds.

The New York-based bank has hired thousands of people with criminal records and hundreds of people with autism or other conditions, [Brian Lamb](#), JPMorgan's global

BREAKING NEWS ty and inclusion, said Thursday during CNBC's Equity and Opportunity forum.

"There's a labor shortage, I think we're all experiencing that globally," Lamb told CNBC's [Sharon Epperson](#). "It's going to require unconventional approaches" to hiring, he said.

People with criminal backgrounds can face barriers to employment, said Lamb. The bank, which had 271,025 employees as of year end 2021, has eliminated questions about criminal records from initial job applications, he said. The bank has also linked up with external partners on resume and career coaching services.

"We're hiring thousands of individuals with criminal backgrounds into the workplace at our firm," Lamb said. "That is another specific example of what we're doing to make progress around tapping into the talent pools that have historically been left behind."



JPMorgan has also established a pipeline for candidates with disabilities including autism in nine countries, according to Lamb.

“These partners help us identify, select and assess talent that we can move into these programs, hundreds of individuals that we believe can go into over 40 roles across JPMorgan Chase,” he said.

In this article

JPM -0.15 (-0.11%) 

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